

Before the  
Federal Communications Commission  
Washington, D.C. 20554

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Federal Communications Commission  
Office of the Secretary

In the Matter of

) EB Docket No. 02-149

)  
) Publix Network Corporation; Customer  
) Attendants, LLC; Revenue Controls Corporation;  
) SignTel, Inc.; and Focus Group, LLC  
)

) File No. EB-01-TC-052  
) FRN: 0004-3412-51  
)

) Order to Show Cause and  
) Notice of Opportunity for Hearing  
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To: The Honorable Richard L. Sippel  
Chief Administrative Law Judge

THIRTEENTH STATUS REPORT

1. The Enforcement Bureau, pursuant to the Orders released in this proceeding on July 19, 2002 and May 7, 2003 by Chief Administrative Law Judge Richard L. Sippel, hereby files this special status report.

2. On September 30, 2004, Dr. Liebermann and Publix Network Corporation entered into a criminal plea agreement with the United States Attorney's Office for the District of Connecticut in New Haven, Connecticut in the criminal proceeding (Criminal No. 3:02CR55 (EBB)).

3. In the plea agreement, Dr. Liebermann and Publix Network Corporation pled guilty to:  
(1) making a false statement, in violation of 18 U.S.C. § 1001; and (2) engaging in an unlawful monetary transaction, in violation of 18 U.S.C. § 1957. With respect to making a false statement, Dr. Liebermann and Publix Network Corporation agreed that:

- (1) the defendants made a material statement or representation;
- (2) that the statement or representation was false, fictitious, or fraudulent;
- (3) that the false, fictitious, or fraudulent statement was made knowingly and willfully; and
- (4) that the statement or representation was made in a matter within the jurisdiction of the

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United States.

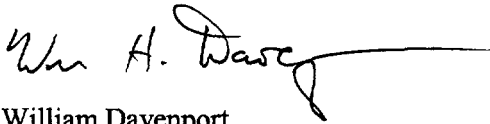
With respect to engaging in an unlawful monetary transaction, Dr. Liebermann and Publix Network Corporation agreed that:

- (1) the defendants engaged in a monetary transaction in or affecting interstate commerce;
- (2) the monetary transaction involved criminally derived property of a value greater than \$10,000;
- (3) the property was derived from specified unlawful activity;
- (4) the defendants acted knowingly; and
- (5) the transaction took place in the United States.

4. Dr. Liebermann and Publix Network Corporation further admitted, *inter alia*, that they were aware that their employees, while engaged in a TRS call, would strike a key on their keyboard or TTY device in order to prevent the call from being automatically disconnected. By doing this, TRS calls could and were extended with no active communication between the participants in the call. Dr. Liebermann and Publix Network Corporation admitted submitting for reimbursement from the TRS Fund calls that included these minutes where no active communication was occurring. Dr. Liebermann and Publix Network Corporation admitted that they knew that the claims they submitted and caused to be submitted to NECA for reimbursement from the TRS Fund were materially false, fictitious, and fraudulent, because the reimbursement requests included claims for minutes that they knew did not involve any actual communications.

5. The Enforcement Bureau is working with Dr. Liebermann and Publix Network Corporation regarding a consent decree that we will present to the presiding judge through a joint motion.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Wm H. Davenport", with a long horizontal flourish extending to the right.

William Davenport  
Chief, Investigations and Hearings Division  
Enforcement Bureau

A handwritten signature in black ink, appearing to read "David L. Hunt", with a stylized, cursive script.

David L. Hunt  
Senior Attorney

Federal Communications Commission  
445 12<sup>th</sup> Street, S.W., Room 3-C438  
Washington, D.C. 20554  
(202) 418-1420

November 10, 2004

CERTIFICATE OF SERVICE

Nakasha Ramsey of the Enforcement Bureau's Telecommunications Consumers Division certifies that she has on this 10th day of November, 2004, sent by the method indicated below, copies of the foregoing "Thirteenth Status Report" to:

Dr. Raanan Liebermann (by mail)  
Publix Network Corporation  
79 Bayard Avenue  
North Haven, CT 06473

Administrative Law Judge Richard L. Sippel (by hand)  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W., Room 1-C864  
Washington, D.C. 20054

Courtesy copies were also sent to the following:

Gerard Waldron, Esquire (by mail and facsimile)  
Covington & Burling  
1201 Pennsylvania Avenue, N.W.  
Washington, D.C., 20004  
(Fax) 202-778-5360

Gates Garrity-Rokous, Esquire (by mail and facsimile)  
Wiggin & Dana  
One Century Tower  
265 Church Street P.O. Box 1832  
New Haven, CT 06508-1832  
(Fax) 203-782-2889

A handwritten signature in dark ink, appearing to read 'Nakasha Ramsey', with a long horizontal flourish extending to the right.

Nakasha Ramsey,  
Telecommunications Consumers Division  
Enforcement Bureau